

JAN 22 2007

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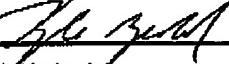
(to be used for all correspondence after initial filing)

| | | | |
|--|---|------------------------|--------------------|
| | | Application Number | 10/733,042 |
| | | Filing Date | December 11, 2003 |
| | | First Named Inventor | Markley C. Leavitt |
| | | Art Unit | 1632 |
| | | Examiner Name | Michael C. Wilson |
| Total Number of Pages In This Submission | 3 | Attorney Docket Number | AVI-028 |

ENCLOSURES (Check all that apply)

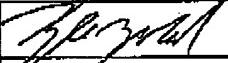
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| <input type="checkbox"/> Fee Transmittal Form | <input type="checkbox"/> Drawing(s) | <input type="checkbox"/> After Allowance Communication to TC |
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| <input type="checkbox"/> After Final | <input type="checkbox"/> Petition to Convert to a Provisional Application | <input type="checkbox"/> Proprietary Information |
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| <input type="checkbox"/> Extension of Time Request | <input type="checkbox"/> Change of Correspondence Address | <input type="checkbox"/> Other Enclosure(s) (please identify below): |
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| <input type="checkbox"/> Certified Copy of Priority Document(s) | <input type="checkbox"/> CD, Number of CD(s) _____ | |
| <input type="checkbox"/> Reply to Missing Parts/Incomplete Application | <input type="checkbox"/> Landscape Table on CD | |
| <input type="checkbox"/> <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53 | | |
| Remarks | | |

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

| | | | |
|--------------|---|----------|-------|
| Firm Name | AviGenics, Inc. | | |
| Signature |  | | |
| Printed name | Kyle Yesland | | |
| Date | Jan 22, 2007 | Reg. No. | 45526 |

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| Signature |  | | |
| Typed or printed name | Kyle Yesland | Date | Jan 22, 2007 |

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including the gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments or amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Appl. No. 10/733,042
Response to Office action mailed December 28, 2006

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JAN 22 2007

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/733,042
Applicant : Leavitt et al.
Filed : December 11, 2003
Title : AVIAN TRANSGENESIS USING A CHICKEN
OVALBUMIN GENE REGION

TC/A.U. : 1632
Examiner : Michael C. Wilson

Docket No. : AVI-028

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Date Jan 22, 2007
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Name Kyle Verstand

RESPONSE TO EXAMINER'S COMMUNICATION OF DECEMBER 28, 2006 AND
ELECTION OF CLAIMS

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Sir:

In response to the Examiner's communication of December 28, 2006, please enter the following amendment for the above identified application.

Remarks begin on page 2 of this paper.